

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:	:	Case No. 17-22967 JAD
	:	
John C. Churby and Sharon M. Churby,	:	Chapter 13
	:	
Debtors.	:	Document No.: 44
	:	
Sharon M. Churby,	:	
	:	
Movant,	:	
	:	
vs.	:	
	:	
No Respondents.	:	

ORDER EMPLOYING SPECIAL COUNSEL


AND NOW, this 30th day of January, 2020, upon consideration of the Debtors' Application for Order of Employment of Special Counsel, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

1. Cynthia A. Howell, Esquire, Attorney at Law, is hereby appointed as Special Counsel for the Debtors pursuant to the terms (including compensation terms) described in the Fee Agreement attached to the above-referenced Motion/Application for the limited purpose of acting as attorney in connection with the wrongful death action pending in The Court of Common Pleas of Fayette County, PA, at Case No. 2774 of 2019, G.D., Sharon Churby, Individually and as Executrix of the Estate of Judy C. Chipps, Deceased, Plaintiff, vs. Jennifer Rittenhouse-Puhak, M.D., Josef J. Vanek, M.D., Uniontown Hospital and Laurel Ridge Surgical Associates, Inc., Defendants, as referenced to in the foregoing Motion/Application, *provided however*, no settlement of any claim is to occur without prior Court Order after notice and hearing.
2. Professional persons or entities performing services in the above case are advised that approval of fees for professional services will be based not only on the amount involved and the results accomplished, but other factors as well, including: the time and labor reasonably required by counsel, the novelty and difficulty of the issues presented, the skill requisite to perform the legal service properly, the preclusion of other employment due to acceptance of this case, the customary fee, whether the fee

is fixed or contingent, the time limitations imposed by the client or the circumstances, the experience, reputation, and ability of the attorneys involved, the undesirability of the case, the nature and length of the professional relationship with the clients, and awards in similar cases.

3. Approval of any application for appointment of counsel in which certain hourly rates/compensation terms are stated for various professionals is not an agreement by the Court to allow fees at the requested hourly rates or compensation terms. Final compensation, awarded only after notice and hearing, may be more or less than the requested hourly rates/compensation terms based on application of the above-mentioned factors in granting approval by Court Order.
4. Applicant shall serve the within Order on all interested parties and file a certificate of service.

January 30, 2020

  
jsf  
United States Bankruptcy Judge  
Judge Jeffery Deller

Case Administrator to mail to:

Debtors  
Counsel: Daniel R. White, Esq.

FILED  
1/30/20 10:37 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

Certificate of Notice Page 3 of 3  
United States Bankruptcy Court  
Western District of Pennsylvania

In re:  
John C. Churby  
Sharon M. Churby  
Debtors

Case No. 17-22967-JAD  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: mgut  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 2

Date Rcvd: Jan 30, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 01, 2020.

db/jdb +John C. Churby, Sharon M. Churby, 7 Mountainside Way, Smithfield, PA 15478-1204  
sp +Cynthia A. Howell, Robert Peirce & Associates, 707 Grant St., Suite 125,  
Pittsburgh, PA 15219-1909

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Feb 01, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 30, 2020 at the address(es) listed below:

Brett A. Solomon on behalf of Creditor Ally Financial bsolomon@tuckerlaw.com,  
agilbert@tuckerlaw.com  
Daniel R. White on behalf of Debtor John C. Churby zmwchapter13@gmail.com,  
gianna@zeblaw.com;sheila@zeblaw.com;r63228@notify.bestcase.com  
Daniel R. White on behalf of Joint Debtor Sharon M. Churby zmwchapter13@gmail.com,  
gianna@zeblaw.com;sheila@zeblaw.com;r63228@notify.bestcase.com  
James Warmbrodt on behalf of Creditor Ditech Financial LLC bkgroup@kmlawgroup.com  
James Warmbrodt on behalf of Creditor DITECH FINANCIAL LLC bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 7